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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,968	10/30/2003	Eric Lawrence Barsness	ROC920030021US1	8987

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MARTIN & ASSOCIATES, LLC
P.O. BOX 548
CARTHAGE, MO 64836-0548

EXAMINER
OMOSEWO, OLUBUSOLA

ART UNIT	PAPER NUMBER
2168	

MAIL DATE	DELIVERY MODE
11/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

<table>
<tr><td rowspan="2">Office Action Summary</td><td colspan="2">Application No.</td><td colspan="2">Applicant(s)</td></tr>
<tr><td colspan="2">10/697,968</td><td colspan="2">BARSNESS ET AL.</td></tr>
<tr><td></td><td colspan="2">Examiner</td><td colspan="2">Art Unit</td></tr>
<tr><td></td><td colspan="2">OLUBUSOLA OMOSEWO</td><td colspan="2">2168</td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 August 2007.*

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,4,8,10,11,15,19 and 20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,4,8,10,11,15,19 and 20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   Office Action Summary   Part of Paper No./Mail Date 20071120

DETAILED ACTION

1.   This action is responsive to communication: Application, filed on 08/17/2007.

2.   Claims 2, 5-7, 9, 12-14, 16-18 and 21-27 have been cancelled. Claims 1, 4, 8,

11, 15 and 20 are amended.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section

122(b), by another filed in the United States before the invention by the applicant for

patent or (2) a patent granted on an application for patent by another filed in the United

States before the invention by the applicant for patent, except that an international

application filed under the treaty defined in section 351(a) shall have the effects for

purposes of this subsection of an application filed in the United States only if the

international application designated the United States and was published under Article

21(2) of such treaty in the English language.

4.   Claims 1, 3, 4, 8, 10-11, 15 and 19-20 are rejected under 35 U.S.C. 102(e) as

being anticipated by Graves et al. (PAT No U.S 6,785,675).

For claim 1, Graves teaches "at least one processor, a memory coupled to the at least

one processor"(Col. 1, lines 12-55); and

"a database query processor residing in the memory and executed by the at least

one processor the database query processor processing a first query to generate a first

result set by interrogating a database and, while processing the first query evaluates at

least one other query that is received during the processing of the first query to

determine whether the at least one other query is satisfied by the first result set, wherein

the database query processor returns the first result set to the first query and uses the

first result set to generate at least one other result set for any of the at least one other

query that is satisfied by the first result set without caching the first result set and

without interrogating the database for the at least one other query"([Col. 4, lines 17-55,

fig. 2&3] wherein while processing the first request (receiving request 1 and call

GetAccountBalance method with parameter 111) the 2 other requests which are of the

same class are received and are mapped to a group to form 1 single query. A result set

is received which satisfies the first query and the other queries).

For claim 3, Graves teaches "wherein the database query processor delays processing

a plurality of received queries, groups compatible received queries together, generates

a new query for each group that will produce a result set that will satisfy all queries in

the group, processes each new query, and generates from the result set of each new

query at least one other result set for queries in the group corresponding to the new query"([Col. 3 lines 20-65 and Col. 4, lines 17-55 & fig. 3] wherein Graves's teachings uses a threshold; time period (time delay). However, queries from a requesters are received and are been grouped to form an aggregated query, which is later sent to the database management system, a result set is received and the results are been sent to the requesters within each group).

For claim 4, Graves teaches "at least one processor, a memory coupled to the at least one processor"(Col. 1, lines 12-55); and "a database query processor residing in the memory and executed by the at least one processor, the database query processor processing a first query to generate a first result set by interrogating a database, and while processing the first query evaluating at least one other query that is received during the processing of the first query to determine whether the at least one other query is satisfied by the first result set, the database query processor returning the first result set to the first query and uses the first result set to generate at least one other result set for any of the at least one other query that is satisfied by the first result set" ([Col. 4, lines 17-55 & fig. 3] wherein while processing the first request (receiving request 1 and call GetAccountBalance method with parameter 111) the 2 other requests which are of the same class are received and are mapped to a group to form 1 single query. A result set is received which satisfies the first query and the other queries).

For claim 8, Graves, teaches "processing a first query by interrogating the database to generate a first result set receiving a second query; and if the second-query may be satisfied by the first result set, while processing the first query evaluates at least one other query that is received during the processing of the first query to determine whether the at least one other query is satisfied by the first result set, returning the first result set to the first query and using the first result set to generate at least one other result set for any of the at least one other query that is satisfied by the first result set without caching the first result set and without interrogating the database for the at least one other query"([Col. 4, lines 17-55, fig. 2&3] wherein while processing the first request (receiving request 1 and call GetAccountBalance method with parameter 111) the 2 other requests which are of the same class are received and are mapped to a group to form 1 single query. A result set is received which satisfies the first query. However, the result set also satisfies the other queries, which eliminate the need to interrogate the database again/separately or caching the query result, thus teachings are synonymous.

As per claim 10, this claim is rejected on grounds corresponding to the arguments given above for rejecting claims 3 and is similarly rejected.

As per claim 11, this claim is rejected on grounds corresponding to the arguments given above for rejecting claim 4 and is similarly rejected.

As per claims 15 this claim is rejected on grounds corresponding to the arguments

given above for rejecting claim 1 and is similarly rejected.

As per claim 19, this claim is rejected on grounds corresponding to the arguments given

above for rejecting claim 3 and is similarly rejected.

As per claim 20, this claim is rejected on grounds corresponding to the arguments given

above for rejecting claim 1 and is similarly rejected.

Responds to Argument

5.   Applicant's arguments filled 08/17/2007 have been fully considered but they

are not persuasive. The examiner respectfully traverses applicant's argument.

As per claims 1, applicant argued Graves does not teach "processing a first query to

generate a first result set by interrogating the database and while the query is being

processed (i.e., after executing of the query has begun), receives one or more other

queries, and may satisfy these one or more other queries… without interrogating the

database for the at least one other queries". Applicant laid emphasis on the query being

processed (*i.e., after executing of the query has begun*). However, applicant is

arguing subject matter which was not claimed and is not found anywhere in the claim

limitation. However, Grave's teaching at Col. 4, lines 17-55, fig. 2& 3, includes

processing the first request (receiving request 1 and call GetAccountBalance method with parameter 111) the 2 other requests which are of the same class are received, evaluated and are mapped to a group to form 1 single query. A result set is received which satisfies the first query and the other queries. However, Grave's teachings of receiving queries individually, evaluating and using the same result set for all the queries is synonymous to applicant's claim language.

CONCLUSION

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to OLUBUSOLA OMOSEWO whose telephone number is

571-272-2738. The examiner can normally be reached on Tuesday-Thursday from

10.00-6.00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, TIM VO can be reached on 571-272-3642. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OLUBUSOLA OMOSEWO
Examiner
Art Unit 2168

TIM VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100